INTERVIEW SUMMARY BY APPLICANT

At the outset, the Applicant acknowledges with appreciation the courtesy extended by the Examiner and her supervisor during the telephone interview conducted April 13, 2006. During the interview, the Applicant's representative presented the following arguments for patentability.

With regard to the rejection of claims 1-3 and 5-8 under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,745,066 (*Lin, et al.*), it is alleged in the Office Action that *Lin et al* teaches a method for which a slope, peak value and conformance to a gamma variate curve are calculated "in order to determine inclusion in the region of interest." Actually, the applied reference is concerned with reducing the noise in perfusion measurements without throwing away useful information. The pixels which fail the gamma fit are assigned perfusion values by interpolation of the perfusion values of nearby voxels. Thus, the Applicant's representative argued that the applied reference is directed to a different technique and does not meet all of the limitations of the present claims.

With regard to the rejection of claims 9-13, 17-23, 27, and 28 under 35 U.S.C. § 103(a) as being unpatentable over the patent to *Lin* in view of the article to *Rijpkema, et al.*, the Applicant's representative argued as follows. First, *Rijpkema et al* does not overcome the above-noted deficiencies of *Lin et al.* Second, the Office Action cites the "Results" section of *Rijpkema et al* for teaching to identify tumor margins. However, that article identifies tumor margins from the k_{ep} map. Thus, it appears that the article needs to do the calculations and identify the tumor margins in the opposite order from the present claimed invention.

In response, with regard to the rejection of claims 1-3 and 5-8 under 35 U.S.C. § 102(e) over *Lin et al,* the Examiner's supervisor was sympathetic, but he wanted more specifics in the claims. He indicated that it would significantly help if the Applicant amended the claims to

8

recite both a definition of the "ideal plasma region of interest" in terms of the flow artifacts and a tangible end result of the process once the ideal plasma region of interest is identified. With regard to the rejection of the remaining claims for obviousness over various combinations of references, the Examiner's supervisor seemed to agree with the Applicant's representative's argument that the proposed combinations of the references would not have resulted in the present claimed invention. However, he said that the Applicant might want to consider making the same claim amendments as to claims 1-3 and 5-8.

With regard to the remaining grounds of rejection, it was agreed that those grounds of rejection would become moot once the grounds of rejection discussed in detail were overcome.

REMARKS

The Office Action mailed January 11, 2006, has been carefully considered. In response thereto, the present application has been amended in a manner which is considered to place it into consideration for allowance. Accordingly, reconsideration and withdrawal of the outstanding Office Action and issuance of a Notice of Allowance are respectfully solicited in view of the foregoing amendments and the following remarks.

The Applicant respectfully submits that the present Amendment overcomes the rejection of claim 16 under 35 U.S.C. § 112, second paragraph.

The Applicant further submits that claims 1-3 and 5-8 as amended are not anticipated by *Lin et al*. The present claimed invention is concerned with identifying an ideal plasma region of interest in a series of medical images. The ideal plasma region of interest is a region which is optimized to eliminate flow artifacts in a signal from the ideal plasma region of interest. The ideal plasma region of interest is identified by, *inter alia,* automatically assigning a score to each voxel in the image data in accordance with suitability for inclusion in the ideal plasma region of interest and identifying the ideal plasma region of interest as including a plurality of voxels whose scores as assigned are highest.

The applied reference does not teach or suggest such an invention. Instead, the applied reference is concerned with reducing the noise in perfusion measurements without throwing away useful information. The pixels which fail the gamma fit are assigned perfusion values by interpolation of the perfusion values of nearby voxels. The gamma fit is thus not used to identify an ideal plasma region of interest as including a plurality of voxels whose scores are highest, or in any other manner. Thus, the applied reference does not anticipate the present claimed invention.

10

The Applicant further traverses the rejection of claims 9-13, 17-23, 27, and 28 under 35 U.S.C. § 103(a) as being unpatentable over the patent to *Lin* in view of the article to *Rijpkema, et al.* First, *Rijpkema et al* does not overcome the above-noted deficiencies of *Lin et al.* Second, the Office Action cites the "Results" section of *Rijpkema et al* for teaching to identify tumor margins. However, that article identifies tumor margins from the k_{ep} map. Thus, it appears that the article needs to do the calculations and identify the tumor margins in the opposite order from the present claimed invention. Accordingly, the Applicant respectfully submits that the proposed combination of references would have destroyed the functionality of those references and would also not have resulted in, taught, or suggested the present claimed invention.

The Applicant has not amended claims 9 and 19 as proposed by the Examiner' supervisor because those claims already contain limitations corresponding to those proposed during the interview.

Finally, the Applicant respectfully submits that the remaining grounds of rejection are moot.
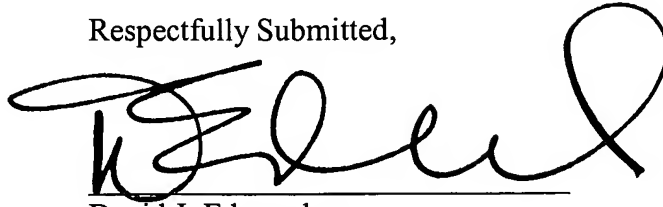
For the reasons set forth above, the Applicant respectfully submits that the application as amended is in condition for allowance. Notice of such allowance is earnestly solicited.

If there remain any questions that can be addressed and overcome through a telephone communication, the Examiner is invited to telephone the undersigned at the telephone number set forth below.

Please charge any shortage of fees or credit any overpayment thereof to BLANK ROME LLP, Deposit Account No. 23-2185 (116741-00238). In the event that a separate Petition for an Extension of Time is required to render this submission timely and either does not accompany this Amendment or is insufficient to render this Amendment timely, the Applicant herewith

petitions under 37 C.F.R. § 1.136(a) for an extension of time for as many months as are required

to render this submission timely. Any fee due is authorized above.

Respectfully Submitted,

David J. Edmondson
Reg. No. 35,126

Blank Rome LLP
600 New Hampshire Ave., N.W.
Washington, D.C. 20037-2485
Telephone 202-772-5838
Facsimile 202-572-1438
MCG/DJE/smj